



Crl.O.P.(MD)No.6450 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.6450 of 2025

and

Crl.M.P.(MD).No.4674 of 2025

Shaik Mohamed Ferozdheen

... Petitioner/Sole Accused

Vs.

1.State of Tamil Nadu Rep. by,
The Inspector of Police,
AWPS Aruppukottai,
Virudhunagar District.
In Crime No.24 of 2024

2.Sherin Sidhara

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to impugned charge sheet in Spl.S.C.No.254 of 2024 on the file of the Special Court for POCSO Act cases, Srivilliputtur, Virudhunagar District dated 30.11.2024 and quash the same as illegal.

For Petitioner	: Mr.S.M.A.Jinnah
For R-1	: Mr.K.Sanjai Gandhi Government Advocate (Crl. Side)
For R-2	: Mr.E.Mareeskumar



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ORDER

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This Criminal Original Petition is filed to quash the impugned final report in Spl.S.C.No.254 of 2024 on the file of the Special Court for POCSO Act cases, Srivilliputtur, Virudhunagar District, which was filed for the offences under Section 7, 8, 9(m), 9(n) and 10 of POCSO Act, 2012.

2. The gist of the allegations in the final report is that the petitioner is the father of the victim girl aged about 11 years; that when the mother of the victim girl had gone to the hospital to stay with her sister, who had given birth to a child, the petitioner had inappropriately touched the private parts of the victim girl during night and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the parties have since entered into a compromise; that in fact, this Court while granting bail to the petitioner, after hearing the victim girl in the Chamber, had observed that there has been a matrimonial dispute between the petitioner and his wife, who is the defacto complainant/mother of the victim girl; that there is *prima facie* material to show that the victim girl has been tutored; and that her statement was not genuine. The learned counsel would therefore submit that



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considering the compromise arrived between the parties, the impugned prosecution may be quashed. The parties have filed a joint compromise memo dated 26.11.2025.

4. The petitioner, namely, Shaik Mohamed Ferozdheen (Aadhaar No. 6163 2963 3089), the second respondent, namely, Sherin Sidhara (Aadhaar No. 8073 4653 7170) and the victim girl are present before this Court in person. They are identified by the Special Sub Inspector of Police, AWPS Aruppukottai, Virudhunagar District. The mother of the victim girl/defacto complainant confirms the compromise and stated that she does not wish to pursue the case.

5. Since I was not satisfied with the statements made by the defacto complainant and the victim girl, I had called the victim girl to the Chamber and heard the victim girl in the presence of my Personal Assistants, Ms.L.Monica and Mrs.E.Indupriya. The victim girl appeared to be confused. She initially stated that her father had misbehaved with her. Thereafter she stated that she trusted her father. She would add that she wants her parents to live together. The defacto complainant reiterated that she does not wish to pursue the case.



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6. This Court, in the bail petition filed by the petitioner in Crl.O.P. (MD).No.20128 of 2024 by order dated 13.12.2024, had observed as follows:

“7. After carefully considering the matrimonial dispute between the petitioner and his wife, and on carefully considering the statement recorded from the victim girl before me, I am able to prima facie see that the victim girl has been tutored in this case. When she appeared before me, she was able to repeat exactly the same words and the same expressions, which she used before the learned Magistrate. That apart, while she was expressing herself, I found that she was speaking more from her mind and there was absolutely no genuineness in what she was saying.”

7. Considering the above facts, the statement made by the victim girl before me and in view of the compromise arrived at between the parties, I am of the view that no useful purpose would be served in continuing the prosecution and hence inclined to quash the proceedings. Accordingly, the impugned final report in Spl.S.C.No.254 of 2024 on the file of the Special Court for POCSO Act cases, Srivilliputtur, Virudhunagar District is quashed and the Criminal Original Petition stands allowed. The joint compromise memo dated 26.11.2025 shall form part of this order. The petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs to the credit of the “District



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Siddha Medical Officer, CCRI, Periyakulam” (Account No.10767823177, IFSC

Code: SBIN0000898, MICR Code: 625002601) forthwith and file a photocopy

of the receipt along with a memo reporting compliance in the Registry.

Consequently, connected miscellaneous petition is closed.

28.11.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

Lm/ars

To

1.The Special Court for POCSO Act cases,
Srivilliputtur, Virudhunagar District.

2.The Inspector of Police,
AWPS Aruppukottai,
Virudhunagar District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm/ars

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